

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 24-cv-25010-BLOOM/Elfenbein**

RAZIEL OFER,

Plaintiff,

v.

RONIEL RODRIGUEZ, IV,  
RONIEL RODRIGUEZ, IV, P.A.,  
and STUART KALB,

Defendants.

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

**THIS CAUSE** is before the Court upon a *sua sponte* review of the record. Federal Rule of Civil Procedure 4(m) requires service of the summons and complaint to be perfected upon defendants **within 90 days** after the filing of the complaint. Plaintiff filed this action on December 20, 2024, *see* ECF No. [1], generating a March 20, 2025, service deadline. On February 13, 2025, the Court entered an Order directing Plaintiff to file proof of service within seven (7) days of perfecting service upon Defendants. *See* ECF No. [10]. The Order further stated that “[f]ailure to effectuate service of a summons and the complaint on Defendants by the stated deadline will result in dismissal without prejudice and without further notice.” *Id.* To date, Plaintiff has not filed proof of service, or shown good cause. In addition, there is no evidence in the record of any factor that would otherwise justify a permissive extension of time to serve absent a showing of good cause—such as expiration of the applicable statute of limitations, or that Defendants are evading service or concealing a defect in attempted service.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The above-styled case is **DISMISSED WITHOUT PREJUDICE** for failure to

timely serve;

2. Each party shall bear its own attorneys' fees and costs;
3. To the extent not otherwise disposed of, all pending motions are denied as **MOOT** and all deadlines are **TERMINATED**;
4. The Clerk of Court is directed to **CLOSE** this case.

**DONE AND ORDERED** in Chambers at Miami, Florida, on March 21, 2025.

A handwritten signature in black ink, appearing to be 'JB' or similar, with a horizontal line extending to the right.

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**BETH BLOOM**  
**UNITED STATES DISTRICT JUDGE**

Copies to:

Counsel of Record

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